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OFFICE OF PETITIONS

In re Application of	:	
Constantz et al.	:	DECISION ON PETITION
Application No. 10/087,599	:	TO WITHDRAW HOLDING OF
Filed: 28 February, 2002	:	ABANDONMENT
Atty Docket No. CORA-014	:	

This is a decision on the petition, filed on 12 May, 2006, to withdraw the holding of abandonment in the above-identified application.

The petition is granted.

This application was held abandoned for failure to timely and effectively respond to the non-final Office action mailed on 28 September, 2005, which set a three (3) month shortened statutory period for reply. In the apparent absence of a timely filed response, the application was held abandoned and a Notice of Abandonment was mailed on 4 April, 2006.

Petitioner asserts that a timely response was filed. In support, petitioners have supplied a copy of the reply, consisting of an amendment and a three (3) month extension of time. The response includes an itemized postcard bearing an "Office date" stamp of 28 March, 2006.

A review of the official file reveals that on 28 March, 2006, an amendment and three (3) month extension of time were timely received. As such, the showing of record is that a response was timely filed, and there is no abandonment in fact. Any inconvenience caused to applicant is regretted.

The Notice of Abandonment is vacated, and the holding of abandonment is withdrawn.

The application file is being forwarded to Technology Center Art Unit 3763 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.

A handwritten signature in black ink, appearing to read "D. Wood", written in a cursive style.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions